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**U.S. Department of the Interior  
Bureau of Land Management  
Kremmling Field Office  
P.O. Box 68  
Kremmling, CO 80459**

## **CATEGORICAL EXCLUSION**

NUMBER: CO-120-2008- 48-CX

PROJECT NAME: Transfer of base property and grazing preference on BLM livestock grazing permit # 051715 from C Lazy U Ranch to C Lazy U Ranch Holdings, LLC

LEGAL DESCRIPTION: BLM Allotment # 07501 (C Lazy U) includes all or part of the following:

T 2 N, R 76 W, 6<sup>th</sup> PM, Sections 10, 11, 13, 14, 15, 23, 24

APPLICANT: C Lazy U Ranch Holdings, LLC

DESCRIPTION OF PROPOSED ACTION: The Proposed Action would transfer the base property and livestock grazing preference on Allotment # 07501 (C Lazy U) from C Lazy U Ranch to C Lazy U Ranch Holdings, LLC (see Attachment # 1 for map of allotment).

Livestock grazing permit # 051715 authorizes a grazing preference of 152 Animal Unit Months (AUMs) of permitted use on Allotment # 07501 (C Lazy U). No changes would be made to the authorized grazing preference, number or kind of livestock, or season of use with implementation of the Proposed Action. See Attachment #2 for grazing permit and standards terms and conditions.

Allotment	Active AUMs	Suspended AUMs	Permitted AUMs
07501	152	0	152

\*AUM = animal unit month = the amount of forage needed to sustain one cow and calf for one month

**PLAN CONFORMANCE REVIEW:** The Proposed Action is subject to and has been reviewed for conformance with the following plan (43 CFR 1610.5, BLM 1617.3):

**Name of Plan:** Kremmling Resource Management Plan (RMP), Record of Decision (ROD)

**Date Approved:** December 19, 1984; Updated February 1999

**Decision Number/Page:** II, B, 4, Livestock Grazing Management pages 6 – 8.

**Decision Language:** Objectives of the RMP/ROD include allocation of a base level livestock forage and maintaining or improving forage production and condition in areas where livestock grazing is a priority or is compatible with the land use priority. The RMP/ROD designated the project are with a wildlife priority. Livestock grazing is compatible with this designation.

**CATEGORICAL EXCLUSION REVIEW:** The Proposed Action qualifies as a categorical exclusion under 516 DM 6, Appendix 5, Section 5.4 D (1) “*Approval of Transfer Grazing Preference*”. None of the following extraordinary circumstances in 516 DM 2, Appendix 2, apply.

Extraordinary Circumstances	Yes	No
2.1 Have significant impacts on public health or safety		X
2.2 Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.		X
2.3 Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2)(E)].		X
2.4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
2.5 Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
2.6 Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
2.7 Have significant impacts on properties listed, or eligible for listing, on the National Register of historic Places as determined by either the bureau or office.		X
2.8 Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.		X

2.9 Violate a Federal Law, or a State, local, or tribal law or requirement imposed for the protection of the environment.		X
2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		X
2.11 Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).		X
2.12 Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).		X

**INTERDISCIPLINARY REVIEW:**

<b>Name</b>	<b>Title</b>	<b>Area of Responsibility</b>	<b>Date Review Completed</b>
Paula Belcher	Hydrologist	Soil, Water, Air, Riparian	7/11/08
Bill B. Wyatt	Fire Archaeologist	Cultural Resources and Native American Consultation	9/11/08
Megan McGuire	Wildlife Biologist	Wildlife, T/E, and Sensitive Species	10/8/08
Joe Stout	P&EC	NEPA Compliance	10/9/08
Richard Johnson	Range Management Specialist	Livestock Grazing	10/9/08

**REMARKS:**

Cultural Resources: The transfer of the allotment is not an undertaking under Section 106 of the National Historic Preservation Act of 1966, as amended, and it's implementing regulations. As individual actions are developed within the allotment they would be evaluated under Section 106 prior to any implementing actions.

Native American Religious Concerns: The transfer of the allotment is not an undertaking under Section 106 of the National Historic Preservation Act of 1966, as amended, and it's implementing regulations. As individual actions are developed within the allotment they would be evaluated under Section 106 prior to any implementing actions and would require Native American consultation to identify areas of traditional concern.

Threatened and Endangered Species: The proposed transfer would not impact Endangered, Threatened, or Sensitive Species.

COMPLIANCE PLAN: Compliance with the grazing permit and its terms and conditions would be accomplished through the Kremmling Field Office (KFO) Rangeland Management Program. Livestock grazing would be monitored by the BLM, as appropriate, to ensure compliance. The KFO Rangeland Management Program would be used to schedule periodic utilization checks, collect trend data, and evaluate allotment condition. Changes would be made to the grazing permit, based on monitoring, when changes are determined to be necessary to protect public land health.

NAME OF PREPARER: Richard Johnson

NAME OF ENVIRONMENTAL COORDINATOR: Joe Stout

DATE: 10/9/08

ATTACHMENTS:

- 1). Map of livestock grazing allotment # 07501 (C Lazy U)
- 2). Livestock Grazing Permit # 051715 with Standard Terms and Conditions

DECISION AND RATIONALE: I have reviewed this CX and have decided to implement the Proposed Action.

This action is listed in the Department Manual as an action that may be categorically excluded. I have evaluated the action relative to the 12 criteria listed above and have determined that it does not represent an extraordinary circumstance and is, therefore, categorically excluded from further environmental analysis.

SIGNATURE OF AUTHORIZED OFFICIAL: /s/ Paula Belcher

DATE SIGNED: 10/9/08